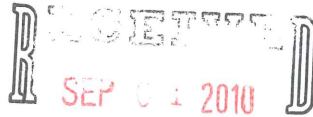


RZ-2010-08177



B. JRM

MONTGOMERY COUNTY, VIRGINIA



Application to Planning Commission and Board of Supervisors

Application For: (check appropriate boxes)

☒ Rezoning☐ Rezoning & Special Use Permit☐ Special Use Permit

Owner/Applicant Information: (Use current mailing/contact information for all property owners. An additional sheet may be attached for multiple owners.)

Property Owner: Bryan and Katie Katz Agent: _____Address: 310 Grandview Dr. Address: _____Blacksburg, VA 24060Phone 1: (540) 641-4175 Phone 1: _____Phone 2: bkatze@vt.edu Phone 2: _____

Email: _____

Email: _____

Location of Property/ Site Address: 3653 Peppers Ferry RoadLegal Record of Property: Total Area: 1.653 Acres Magisterial District RinerParcel ID: 002869Tax Parcel Number(s): 064-A92Rezoning Details: Current Zoning District: A-1 Requested Zoning District: CBDesired Use(s): Travel Agency / Tour Bus Operator with attached ResidenceDesired Use as Office.

Special Use Permit: Current Zoning District _____ Total Area/Acres: _____

Desired Use(s): _____

Comprehensive Plan Designation: Village ExpansionTraffic Impact Analysis Required: ☐ Yes (payment enclosed) ☐ No

I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

8/30/2010

Agent's Signature

Date

Property Owner(s) Signature

Date

FOR OFFICE USE ONLY

Date Received: _____

Application Number: _____

Traffic Impact Analysis and Payment Received: ☐ Yes ☐ No

Date Submitted to VDOT: _____

REZONING JUSTIFICATION
for property located at
3653 PEPPERS FERRY ROAD, RADFORD, VA 24141
TAX MAP 064-A-92

In accordance with the Montgomery County Virginia Zoning Ordinances, Bryan and Katie Katz, owners of property located at 3653 Peppers Ferry Road in Radford, Virginia, are requesting a rezoning of the property from Agricultural (A1) to Community Business (CB) for the purpose of allowing University Travel / All America Tours to operate its travel agency and tour operations from the location.

Background

The site is the former site of John's Auto Lot and the property has been used as an automotive sales and repair lot as well as a furniture shop for many years. In April 2010, the current owners Bryan and Katie Katz purchased the property and is currently rented to Sara Anderson, the owner of University Travel / All America Tours. At the point of the sale, the property was being taxed as "Commercial/Industrial" by Montgomery County (**Exhibit A**) and was listed as a commercial property by the real estate agent (**Exhibit B**). The real estate assessment has recently been changed. Upon review by the Montgomery County Planning Department, although its use has been different in the past, the property is zoned A1 and is not currently zoned for the use that is intended by the owner and renter.

Concept Development Plan

Unlike typical plans for future development, the existing structure and corresponding parking lot as currently built and used by John's Auto Lot is all that is required for use by the owner and renters. The existing structure is intended to be used as an office for University Travel / All America Tours with attached home for use by the owners. The owners and renters would like the ability to use the adjacent gravel parking lot as a parking lot for the company's buses as an incidental business use of the property. There are no plans for any additional development beyond the existing conditions at this time. Existing site features are illustrated as **Exhibit D**.

Comprehensive Plan Justification

The property is located in the Village of Belview adjacent to a church located at 3635 Peppers Ferry Road which is already zoned CB – Community Business. The parcel is indicated as Village Expansion (PLU 1.6) and is classified as "Mixed Use" in the 2025 Comprehensive Plan Map for Montgomery County. Mixed Use as per the Belview Village Plan encourages infill development (using existing sites and structures), should be a mix of residential, commercial, and office uses, encourages live / work units, and minimizes the impact of road improvements. Our property uses the existing structure which has been in place since the 1940s and does not require any additional buildout for serving the purpose of the owners and tenant. If approved,

the property will continue to be used as a residence and commercial use which encourages live / work units as part of the Belview Village Plan and has less impact on the community visually, environmentally, and traffic-wise compared to its past uses.

The lot complies with the minimum lot size of 1 acre and when adding in the adjacent lot zoned as Community Business (CB), the total contiguous size would be 2.237 acres. Public Sewer is located on the site and water is obtained through the use of a well located on the property. The proposed rezoning will not require any current or future educational facility or program needs for the County.

Evidence of Water Supply and Sewage Disposal

The site already has public sewer and private water available for the residence and former office already located on the premises. The intended use does not vary from that of the existing design as used by previous owners over the last several decades.

Transportation Impacts

An entrance already exists on the property and the intended use of the property generates less traffic than previous uses. The Virginia Department of Transportation has written a Commercial Entrance Letter and has determined that the existing entrance is adequate given the intended use (see **Exhibit C**).

Conditional Rezoning Statement

In the interest of preserving the community desires for the Village of Belview, the owners are voluntarily proffering the restriction of several uses that could normally be conducted by right under the zoning of Community Business. The property will NOT be available for the following uses:

- Cemetery
- Crematorium
- Custom Meat Cutting, Processing, and Sales
- Funeral Home
- Homeless Shelter
- Telecommunications Tower, Attached

Additional uses may be proffered by the owners at the suggestion of the local community or based on concerns by others.

EXHIBIT A:
Montgomery County, Virginia Parcel Description

Montgomery County, VA

Page 1 of 1

Parcel ID: 002869

KATZ BRYAN J KATZ KATIE R
3653 PEPPERS FERRY RD

Owners

Owner1	KATZ BRYAN J
Owner2	KATZ KATIE R
Mailing Address	310 GRANDVIEW DR
Mailing Address2	
City, State, Zip	BLACKSBURG VA 24060

Parcel

Tax Map Number	064- A 92
Property Address	3653 PEPPERS FERRY RD
City, State, Zip	RADFORD VA 24141
Neighborhood Code	MC330000
Class Code/Description	4000/Commercial/Industrial
Use Code/Description	499/OTHER COMMERCIAL STRUCTURES
Primary Zoning Code/Desc	A1/AGRICULTURAL
Restriction Code/Description 1	/
Restriction Code/Description 2	/
Restriction Code/Description 3	/
Land Use Program	NO
Notes:	1048-0534
Notes:	
Notes:	
Notes:	
Notes:	
Notes:	3

Legal Description

Legal Description 1	PEPPERS FERRY RD
Legal Description 2	
Tax District Code/Description	MR/RINER
Deeded Acres	1.653
Deed Book	2010
Page	003303

EXHIBIT B



New River Valley MLS Commercial Listing

Listing Summary			
Listing # 204509	3653 Peppers Ferry Rd, Radford, VA 24141	Closed (04/29/10)	DOM/CDOM: 17/17
\$139,900 (LP)	Sq Ft: 1200	Lot Sz: 1.653ac	
\$129,900 (SP)	Area: Radf	Yr: 1948	
Price/SqFt: 108.25			
SP % LP: 92.85			

Remarks

Excellent Commercial Potential, Endless Possibilities, Very High Traffic Count. Was a former car lot and furniture store. New Bright Red Metal Roof really makes this property stand out. Living space available with bathroom, kitchen, and 2 bedrooms large floored attic. Land in the back has a water spigot and fenced with a 5 stall barn. Located on RT 114 convenient to RT 11 RT 460 &

Pictures (10)



Agent	Paul DiMaio (ID: dimaio) Home: 540-230-5065 Home: 540-230-5065 Home: 540-230-5065		
Office	Coldwell Banker Townside-Bburg (ID: 10) Phone: 540-552-6500, FAX: 540-552-2635		
Property Type	Commercial	Property Subtype(s)	Business Service
Status	Closed (04/29/10)		
Listing Type	Excl Right to Sell		
Area	Radford		
Subdivision			
Commission	Buyer Agent 2.5%	Sub Agent 2.5%	Variable Commission No
County/City	Montgomery	Parcel Num	064A92
Year Built	1948		
Pass to Internet	Yes		
Listing Date	03/16/10		
Original Price	139,900		
Occupancy	Vacant		
Occupant Name			
Owner Name	Jason Stephan	Occupant Phone	
School District	Montgomery (Elementary: Belview; Middle: Christiansburg; High: Christiansburg)	Owner Phone	
Legal Description	002869 Parcel Number		
Directions to Property	7 miles past NRV Mall towards Radford. Peppers Ferry Road. Building has red metal roof.		
Showing Instructions	NRV Lockbox, Sign, Vacant		
Contingencies	Financing, Home Inspection		

Selling Information			
Selling Price	129,900	Selling Date	04/29/10
Listing Price	139,900	Pending Date	04/01/10
SP % LP	92.85	Original Price	139,900
Financing	Conventional		
Comments			

EXHIBIT B

New River Valley MLS Commercial Listing

Selling Agent	Paul DiMaio (dimaio)	Selling Office	Coldwell Banker Townside-Bburg (10)
Selling Co-Agent		Selling Co-Office	
Other Closing Info	none		
Seller Concessions	0.00		
Seller Repairs	0.00		
Foreclos/Short Sale	No		

Contract Information	
Owner/Agent	No
Limited Service	No
Exclusions	No
Seller Disclosure	Yes
Duplicate Listing	No

General Property Description	
Apx Unfinished SqFt	0
Apx Mfg SqFt	0
Apx Upper Sqft	1200
Apx Bsmnt Sqft Fin	0
Apx Bsmnt Sqft Unfin	1200
Apx Office Sqft	1200
Apx Warehouse SqFt	0

Location, Tax & Legal	
Zoning	Other- See Remarks
Taxes	\$959.92
Tax Year	2009
Deed Bk/Pg Instrumnt	0000/0000

Remarks & Misc.	
Lease Remarks	Very high traffic count makes for excellent rental investment opportunities

Building Information	
\$/SqFt Lease	\$0.00
\$/SqFt Sale	\$0.00
# Bays	1
# Buildings	2
# Restrooms	1
Ann Assoc Fee	0.00
Ann Gross Income	0.00
Ann Operate Expense	0.00
Lease Years	0
Main Road Frontage	350
Monthly Lease Paymnt	\$0.00
Net Operate Expense	\$0.00
Parking Spaces	50
Traffic Count	0

Property Information	
HOA Annual Dues	\$0.00
Type of Business	Auto Service, Business Services, Other- See Remarks, Professional Service, Restaurant, Retail, Transportation, Wholesale
Construction	Block, Wood Frame
Roof Systems	Aluminum Covering
Flooring	Wood
Heating	Other- See Remarks
Air Conditioning	Window Unit(s)
Water Heater	Electric
Water	Well
Sewer	Public System
Parking	Private Over 10
Loading	Ground Level Door
Road Frontage	Divided, State Road
Equipment	Partially Fenced

SqFt Search	Off Bld <= 5, 000 SF, Retail Bld<=5, 000 SF
Miscellaneous	Any Type Invest Prop, Building and Land, Living Space Avail, One Story, Outside Storage, Reception Area
Access Transport	US Highway
Lockbox Location	Railing
Possession	At Closing

EXHIBIT C
VDOT Commercial Entrance Letter



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

PO Box 3071
Salem VA 24153-0580

GREGORY A. WHIRLEY
ACTING COMMISSIONER
July 7, 2010

Mr. Brian Katz
310 Grandview Drive
Blacksburg, Virginia 24060

RE: COMMERCIAL ENTRANCE
Route 114, Montgomery County

Dear Mr. Katz:

Please be advised that the commercial entrance located on your property on Route 114 can remain the same unless the use changes in the future. In a telephone conversation with John Jones of this office you indicated that the traveling public seldom uses this location, and the buses actually load personnel at an alternate location. Should any of those factors change, we will look at the entrance again at that time. If you have any questions, please contact John Jones at (540) 381-7198.

Sincerely,

A handwritten signature in black ink, appearing to read "J. G. Thompson", with a long horizontal flourish extending to the right.

John G. Thompson, P.E.
Area Land Use Engineer

JCI/gat

c: Dari Jenkins, County of Montgomery

NOTES:

1. THIS PLAT MAY BE SUBJECT TO INFORMATION WHICH MAY BE DISCLOSED BY A TITLE REPORT BY A LICENSED ATTORNEY.

2. THE SUBJECT PROPERTY IS WITHIN THE LIMITS OF ZONE C AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP PANEL 51121C0120C, EFFECTIVE DATE 9-25-09. THIS DETERMINATION IS BASED ON SAID MAP AND HAS NOT BEEN VERIFIED BY ACTUAL FIELD ELEVATIONS.

3. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.

4. ANY KNOWN EASEMENTS ARE SHOWN ON THE MAP.

5. THIS MAP IS BASED ON INSTRUMENT
2010003303, WHICH IS THE LATEST
INSTRUMENT IN THE CHAIN OF TITLE.

VICINITY MAP
NTS

MILLER, DEBBIE G. REV. TRUST
DB 1254, PG 616
TAX MAP 64-A-93
PIN 016924
ZONING: A1
CURRENT USE: TREE FARM

MILLER, DEBBIE G. REV. TRUST
DB 1254, PG 616
TAX MAP 64-A-93
PIN 016924
ZONING: A1
CURRENT USE: TREE FARM

APPROXIMATE LOCATION EX. SS
MAIN-EASEMENT WIDTH -
UNDETERMINED AT TIME OF MAPPING

3653 PEPPERS FERRY RD
BRYAN J. & KATIE R. KATZ
DB 2010003303
TAX MAP 64-A-92
PIN 002869
1.653 ACRES
ZONING: A1

FRAME BARN

24" MAPLE

24" MAPLE

EX. FENCE

— CONCRETE—

SHED

SIG

EX. DUMPSTER LOCATION

GRAVEL PARKING AREA

OVERHEAD
POWER AND
TELEPHONE LINES

EDGE OF PAVEMENT

PEPPERS FERRY RD
VA 114 80' PUBLIC RW

BRADFORD
LN--125' +/- TO
ADJUTWAY LA

18" WALNUT
TRANSFORMER

NEW RIVER HOLINESS
CHURCH
DB 845, PG 176
PB 2, PG 231
TAX MAP 64-A-91
PIN 015578
ZONING: CB
CURRENT USE: CHURCH

NEW RIVER HOLINESS CHURCH
DB 885, PG 295
PB 885, PG 299
TAX MAP 64-A-93A
PIN 032658
ZONING: CB
CURRENT USE: CHURCH

APPROXIMATE LOCATION EX. SS
MAIN-EASEMENT WIDTH
UNDETERMINED AT TIME OF
MAPPING

VA S NAD 83

PRELIMINARY

The Abbott logo, featuring a stylized 'A' with a horizontal line extending from its top right, ending in a small square, and the word 'ABBOTT' in a serif font below it.

**ENGINEERING &
SURVEYING**
5997 Upper Craig Creek Rd.
Catawba Va 24070
(540) 864-5271 (540) 864-6702fax

EXISTING CONDITIONS PLAN

for Bryan j. & Katie R. Katz

3653 PEPPERS FERRY RD

BLACKSBURG

RINER MAGISTERIAL DISTRICT

Montgomery County, VA

Job # 10-061
DATE: 9-1-201
REVISIONS:

REVISIONS: